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THOMAS F. MCFARLAND

May 10, 2007

By e-filing

Vernon A. Williams, Secretary  
Surface Transportation Board  
395 E Street, S.W., Suite 1149  
Washington, DC 20024

Re: Finance Docket No. 35002, *Savage, Bingham & Garfield Railroad Company -- Acquisition and Operation Exemption -- Union Pacific Railroad Company*

211273

Finance Docket No. 35008, *Utah Transit Authority -- Acquisition Exemption -- Union Pacific Railroad Company in Salt Lake County, UT*

219274

Dear Mr. Williams:

The Reply of Savage, Bingham & Garfield Railroad Company (SBGR) in Support of Utah Transit Authority's (UTA) Motion to Dismiss, filed on May 2, 2007, underscores the need of the Utah Shipper Coalition for an adequate procedural schedule for protection of the interests of shippers in this matter.

The UTA-SBGR tag team has filed extensive documentation, which requires analysis and reply, but they still have not filed the Administration and Coordination Agreement between UTA and BNSF Railway Company (BNSF) that will govern operations by BNSF on the subject rail lines. Neither have the underlying trackage rights agreements governing operations over the rail lines been provided for the record. It may well be that some or all of those agreements will have to be obtained through discovery.

UTA's desire for expedition to further its planning and construction schedule must give way to the public interest in a procedural schedule that takes into account the interests of all affected parties.

Very truly yours,

*Tom McFarland*

Thomas F. McFarland  
Attorney for Utah Shipper Coalition

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